

BNPL-20131115AID and BNPL-20131113BMU

This application is made possible by the minor modification BMPL-20150406AAQ by Camino Del Rey which will replace BNPL-20131115AID. Applicant submits this amendment with the understanding that it is contingent on FCC approval of BMPL-20150406AAQ.

This application is also made possible by the dismissal of BNPL-20131113BMU (Workers Defense Project) on March 26 2015.

Request for site move of 6.01 km.

Applicant requests a site change of 6.01 km.

The applicant would like to note that pursuant to section 73.870(a), a minor change for an LPFM station authorized under this subpart is limited to a transmitter site relocation of 5.6 kilometers or less. When accounting for the commission's stance on rounding to the nearest whole kilometer, 5.6 kilometers rounds up to 6 kilometers. The actual physical distance of this relocation is 6.01 kilometers which rounds down to 6 kilometers. Thus complying with section 73.870(a) when accounting for rounding to the nearest kilometer.

As noted, the applicant believes that this application is consistent with section 73.870(a) by reason of section 73.208(c)(8), the rounding rule. The commission staff has previously held the rounding methodology applies even in those cases where a rule specified a precise distance. Otherwise, every rule implicating the distances would have to state explicitly whether the section 73.208 measurement methodology, including rounding, is applicable.

There is specific precedent in LPFM to accept this rounding, citing WROJ-LP, facility ID 194306, application BMPL-20150205ABP, and several others.

73.208(c)(8) rounding toward others

Similarly, 73.208(c)(8) applies to the application BNPL-20131114ADE Dios-Abla-Hoy distance 23.53 km rounds to 24 km, and the shared site of BNPL-20131022AIA Austin Cathedral and BMPL-20150406AAQ Camino Del Rey distance 13.66 km rounds to 14 km.